

The Honorable Robert S. Lasnik

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

CHERYL KATER and SUZIE KELLY,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

CHURCHILL DOWNS INCORPORATED, a
Kentucky corporation, and BIG FISH GAMES,
INC., a Washington corporation.

Defendants.

MANASA THIMMEGOWDA, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

BIG FISH GAMES, INC., a Washington
corporation; ARISTOCRAT TECHNOLOGIES
INC., a Nevada corporation; ARISTOCRAT
LEISURE LIMITED, an Australian corporation;
and CHURCHILL DOWNS INCORPORATED,
a Kentucky corporation,

Defendants.

No. 15-cv-00612-RSL

**PLAINTIFFS' MOTION FOR LEAVE
TO FILE OVER-LENGTH BRIEFS
AND ORDER**

Noting Date: December 14, 2020

No. 19-cv-00199-RSL

**PLAINTIFF'S MOTION FOR LEAVE
TO FILE OVER-LENGTH BRIEFS
AND ORDER**

Noting Date: December 14, 2020

1 Plaintiffs Cheryl Kater, Suzie Kelly, and Manasa Thimmegowda, by and through their
 2 attorneys, and pursuant to Local Rule 7(f), move for leave to file two (2) over-length briefs: (i)
 3 Plaintiffs' Motion for Final Approval of Class Action Settlement Agreement ("Motion for Final
 4 Approval"), and (ii) Class Counsel's Motion for Award of Attorneys' Fees and Expenses and
 5 Issuance of Incentive Awards ("Motion for Attorneys' Fees, Expenses, and Incentive Awards")
 6 (together, the "Motions"). In support, Plaintiffs state as follows:

7 1. Pursuant to Local Rule 7(e), Plaintiff is allotted twenty-four (24) pages for each
 8 Motion insofar as the Motions pertain in part to certification of the Settlement Class.

9 2. The Motions call for, *inter alia*, extensive discussion and analysis of the factual
 10 and procedural background of this complex multi-year litigation, a discussion of the terms of a
 11 landmark class action settlement, and a comprehensive analysis of FRCP 23(e) (Motion for Final
 12 Approval) and Ninth Circuit precedent on attorneys' fees in large class actions (Motion for
 13 Attorneys' Fees, Expenses, and Incentive Awards).

14 3. Accordingly, Plaintiffs respectfully request up to an additional seven (7) pages
 15 (*i.e.*, up to a maximum of thirty-one (31) pages) for each Motion to address these subjects
 16 thoroughly.

17
 18 WHEREFORE, Plaintiffs respectfully request that this Court grant Plaintiffs' Motion for
 19 Leave to File Over-Length Briefs.

20
 21 Dated: December 14, 2020

22 Respectfully submitted,

23 By: /s/ Alexander G. Tievsky

24 Alexander G. Tievsky, WSBA #57125
 25 atievsky@edelson.com
 26 Edelson PC
 27 350 North LaSalle Street, 14th Floor
 Chicago, Illinois 60654

1 Tel: 312.589.6370/Fax: 312.589.6378

2 By: /s/ Todd Logan

3 Rafe S. Balabanian*

4 rbalabanian@edelson.com

5 Todd Logan*

6 tlogan@edelson.com

7 Brandt Silver-Korn*

8 bsilverkorn@edelson.com

9 Edelson PC

10 123 Townsend Street, Suite 100

11 San Francisco, California 94107

12 Tel: 415.212.9300/Fax: 415.373.9435

13 By: /s/ Cecily C. Shiel

14 TOUSLEY BRAIN STEPHENS PLLC

15 Cecily C. Shiel, WSBA #50061

16 cshiel@tousley.com

17 1700 Seventh Avenue, Suite 2200

18 Seattle, Washington 98101-4416

19 Tel: 206.682.5600

20 *Plaintiffs' Attorneys and Class Counsel*

21 **Admitted pro hac vice*

ORDER

The motion is **GRANTED**.

IT IS SO ORDERED.

DATED this 15th day of December, 2021.

A handwritten signature in black ink, appearing to read "Mr S Lasnik", written over a horizontal line.

ROBERT S. LASNIK
UNITED STATES DISTRICT JUDGE